IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO. 10851 of 2005

Between:

Battula Pichaiah S/o.Janakaiah
R/o.H.No.5-76/2, Luccky Nagar,

Doolapally I.D.A. Mandal Qutubullapur, District
Ranga Reddy.

..... PETITIONER

AND

1 The District Collector, Ranga Reddy District
Lakdi - Ka-Pool, Hyderabad.
2 The Revenue Divisional Officer (West) Ranga Reddy

Ashoknagar, Hyderabad.
3 The Mandal Revenue Officer Mandal Qutubullapur,

District Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus or any appropriate writ declaring the action of the respondents in try to demolish and take into possession the property ie.H.No.5-76/2, admeasuring 1000 Sq.Yards situate at Luccky Nagar, Doolapally Village, Mandal Qutubullapur District Ranga Reddy in Survey No.182 of Village Doolapally Mandal Qutubullapur, District Ranga Reddy as illegal, arbitrary, contrary to the Andhra Pradesh Land Encroachment Act and under Article 14 to 21 of the Constitution of India consequently direct the respondent not to demolish the same and pass such other order or orders.

Counsel for the Petitioner: MR.M.T.GHORI

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court at the stage of admission made the following:

ORDER:

The writ petition is filed on an apprehension that the respondents would demolish the structures and dispossess the petitioner from H.No.5-76/2 in Survey No.182 in Luccky Nagar, Doolapally village, Qutubullapur Mandal, Ranga Reddy District.

According to the petitioner, the 3rd respondent/Mandal Revenue Officer, Qutubullapur Mandal visited the property of the petitioner on 28.04.2005 and threatened demolition alleging that the petitioner is illegally encroaching into the Government land.

On instructions, the learned Government Pleader for Revenue represents on behalf of respondents and in particular the 3rd respondent that no steps have been taken or are in contemplation, to dispossess the petitioner or demolish the constructions in the petitioner's property.

In the light of the aforesaid categorical and unequivocal statement made on behalf of the respondents, the apprehension of the petitioner seems to be unfounded. In any event, the respondents cannot dispossess or interfere with the petitioner's property except in accordance with due process of law.

Recording the above declaration of principle and the statement made by the learned Government Pleader on behalf of the respondents, the Writ Petition is disposed of. No order as to costs.

Dated: 03.05.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The District Collector,

Ranga Reddy District,

Lakdikapool, Hyderabad

2. The Revenue Divisional Officer(West)

Ranga Reddy, Ashoknagar, Hyderabad

3. The Mandal Revenue Officer,

Mandal Qutubullapur,

District Ranga Reddy

4. Two CCs to the Government Pleader for

Revenue, High Court Buildings, Hyderabad (OUT)

5. Two CD copies